



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
PIEDMONT BRANCH
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

JUN 06 2007

Regulatory Branch
200700166

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: 200700166

Applicant: South Point Partners, LLC
Attention: Mr. Jim Baker
PO Box 870100
Morrow, Georgia 30287-0100

Agent: Register-Nelson, Inc.
Attention: Mr. Tim Jackson
3949 Jodeco Road
McDonough, Georgia 30253-5477

Location of Proposed Work: The property is located just west of the SR 20 and SR 81 intersection, in western Henry County, Georgia. It is illustrated on the McDonough, Georgia, USGS 7.5-minute topographic map, as shown on the attached USGS Topographic Map. According to the 1974 Hydrologic Unit Map of Georgia, the site is located within the USGS Hydrologic Unit Code 3070103 of the Upper Ocmulgee watershed. The coordinates to the center of this project are 33° 25' 32"N, 84° 11' 07"W.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: South Point Town Center (South Point) is a proposed multiple-use retail village that would be constructed on a 196-acre tract of land along the north side of State Route 20 (SR 20) and south of State Route 81 (SR81) in Henry County, Georgia. The project would include the construction of a retail center and all groundwork/infrastructure including parking, road access, utilities, and stormwater management. A Pre-Construction Notification (PCN) was submitted on October 4, 2005 for this tract and was subsequently authorized under Nationwide Permit (NWP) 39 to impact 0.49-acres of wetland. The project was assigned permit number 200500644 by the United States Army Corps of Engineers (USACE). Compensatory mitigation was completed through the purchase of 4.3 wetland mitigation credits and grading of portions of the site began following the issuance of a Henry County land disturbance activity (LDA) permit. Due to the acquisition of adjacent property, the project team saw it beneficial to change the site layout in favor of a new

plan which would better facilitate upland utilization of the property. In light of this, it is now practical and necessary to impact 1.33 additional acres of wetland and 1,074 linear feet of intermittent stream.

BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required by an applicant for a Federal Permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can also be seen in the US Army Corps of Engineers, Savannah District, Regulatory Division, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia which may be in the form of a license, easement, lease, permit, or other appropriate instrument.

US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: Pursuant to Section 106 of the national Historic Preservation Act of 1966, as amended, we request from the Georgia Historical Preservation Division or any other interested party information on whether the latest published version of the National Register of Historic Places (NRHP) has or does not have any registered properties or properties listed as eligible for inclusion located at the site or in the area affected by the proposed work. Presently unknown archaeological, scientific, prehistorical, or historical data may be located at the site and could be affected by the proposed work.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b) (1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

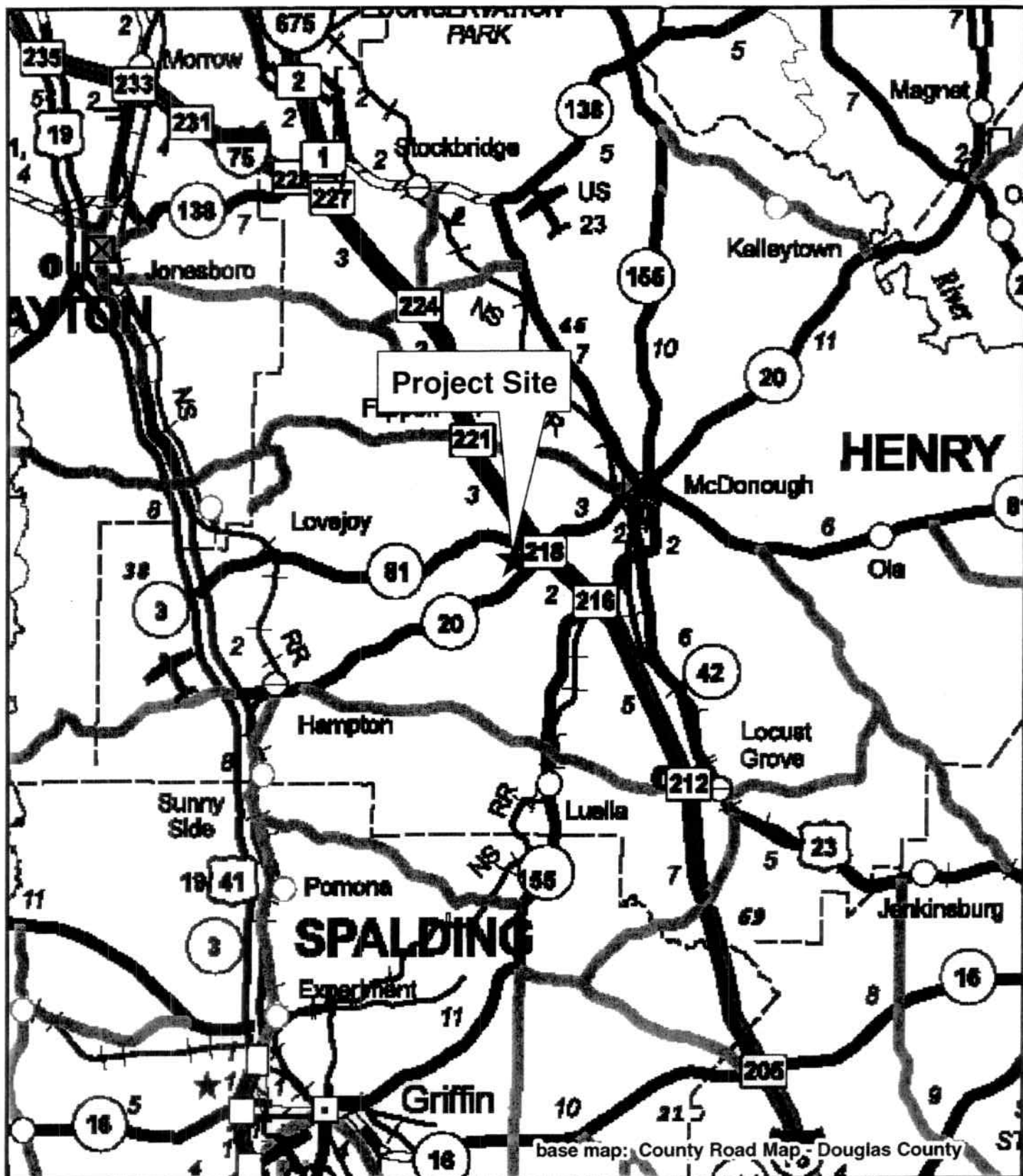
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, US Army Corps of

Engineers, Savannah District, Regulatory Division, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any questions contact Shaun L. Blocker at (678) 422-6570.

Enclosures

1. Site Location Map
2. USGS Topographic Map
3. USACE Jurisdiction Map
4. USACE Jurisdictional Impacts



base map: County Road Map - Douglas County

Prepared:
November 8, 2006
By:

REGISTER NELSON
Environmental Consultants

3949 Jodeco Road, McDonough, GA 30253
Office: 678-432-2636 Fax: 678-432-2464

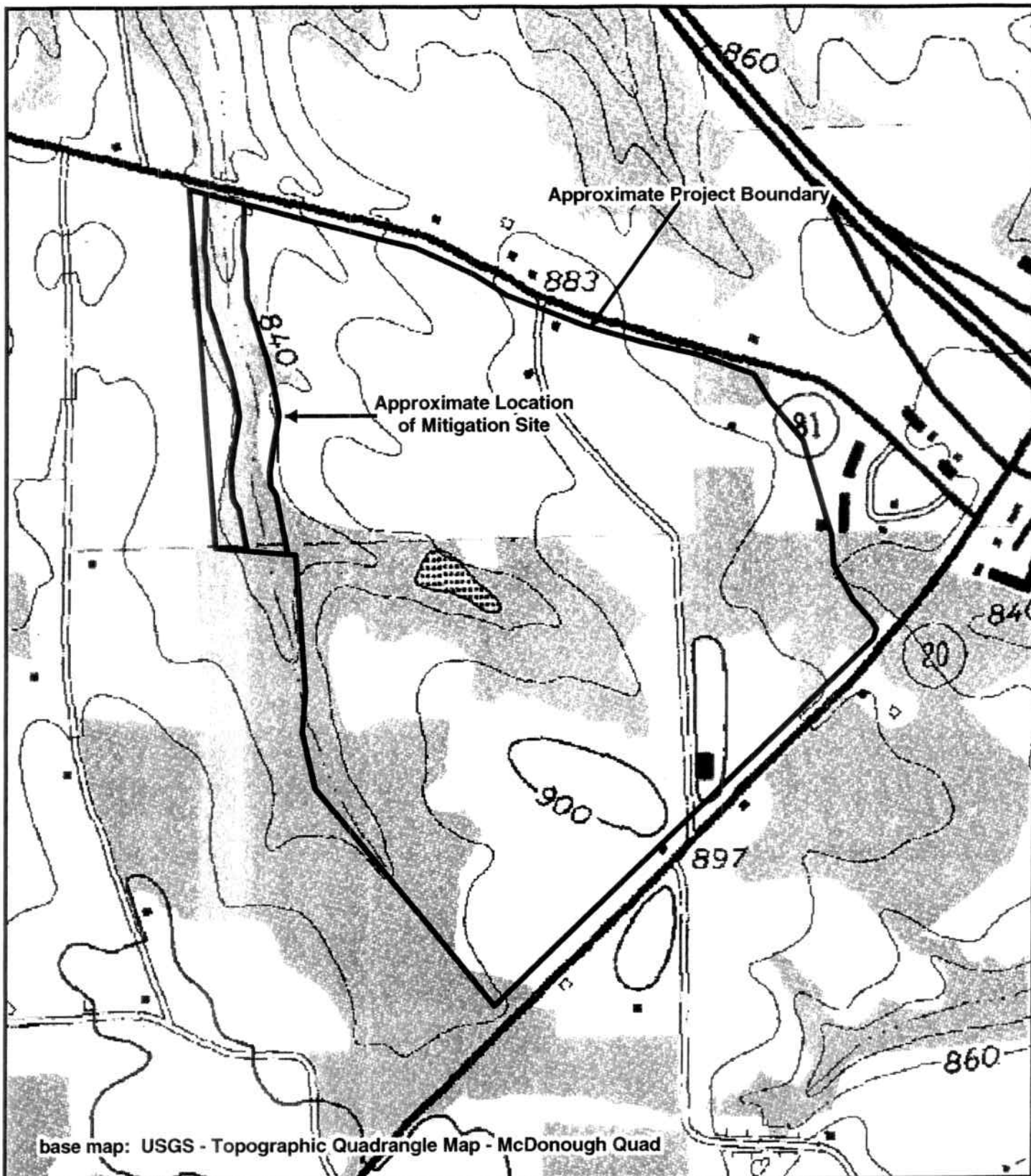
Location Map

South Point Town Center
Henry County, Georgia
for
South Point Retail Partners, LLC



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Miles

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Prepared:
April 4, 2007
By:

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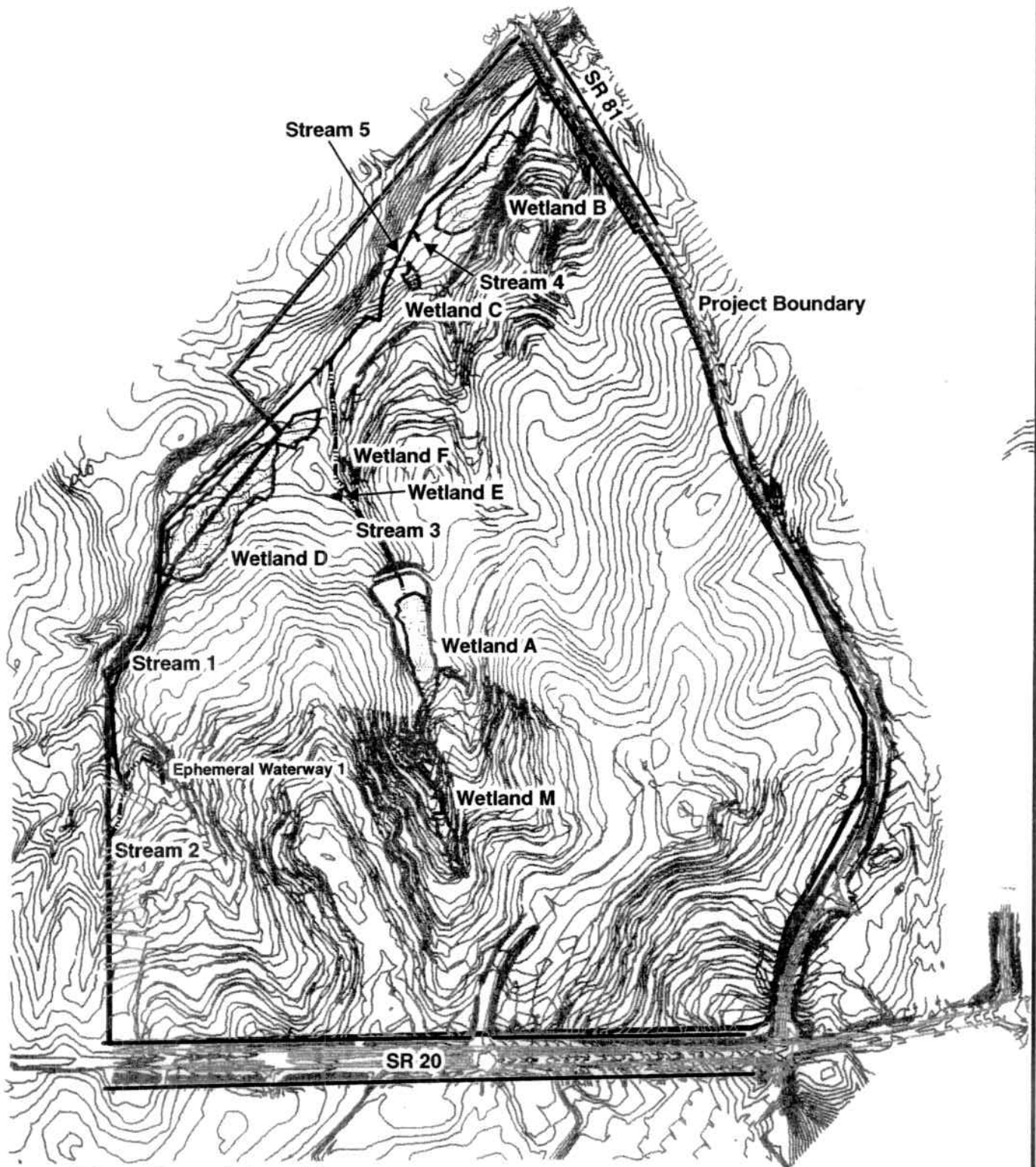
USGS Topographic Map

South Point Town Center
Mitigation Site
Henry County, Georgia
for
South Point Retail Partners, LLC



700
Feet

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base map: Haines, Gipson & Associates

Prepared:
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Existing Conditions






South Point Town Center
Henry County, Georgia
for
South Point Retail Partners, LLC

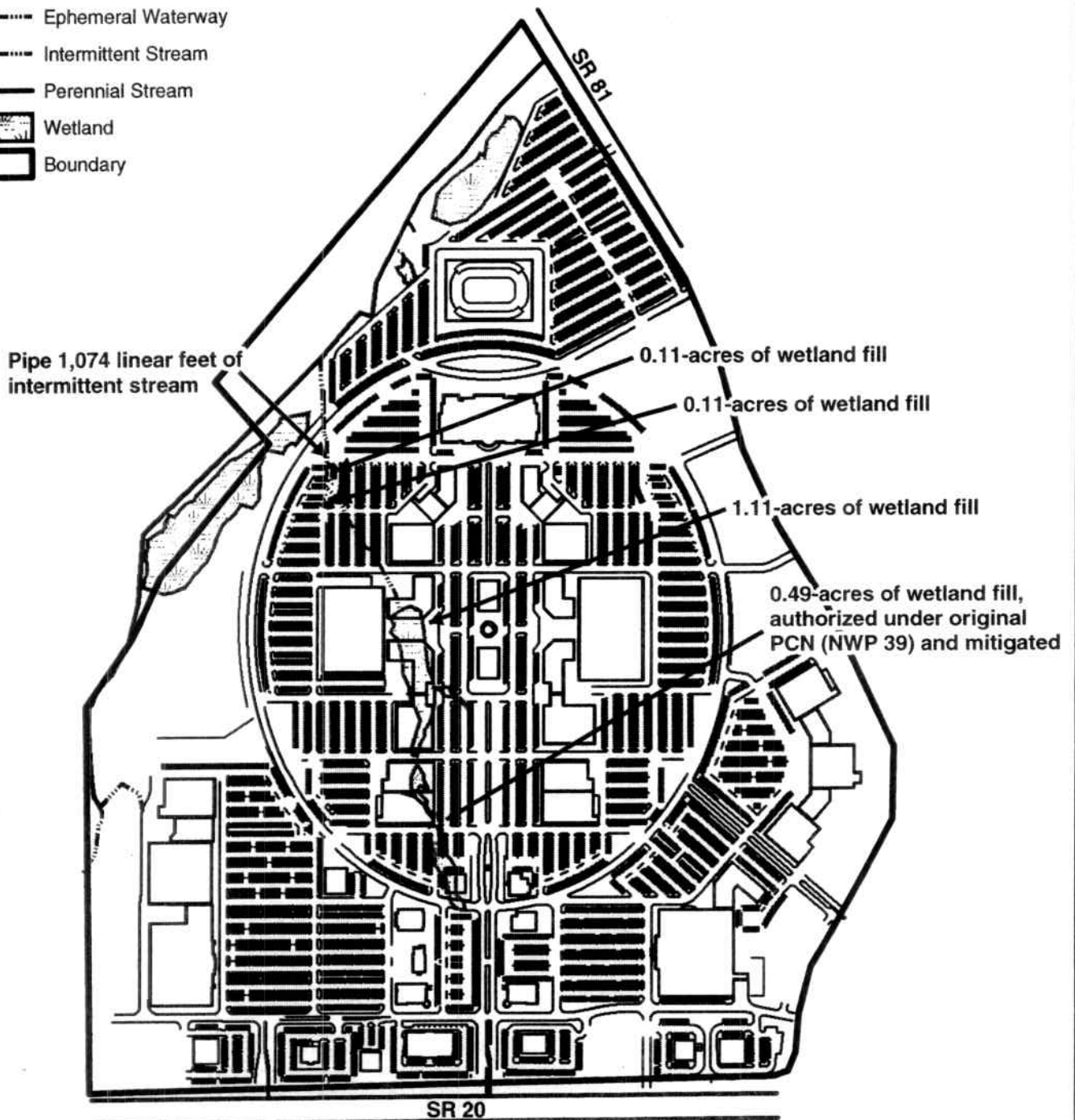


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Feet

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Legend

-  Ephemeral Waterway
-  Intermittent Stream
-  Perennial Stream
-  Wetland
-  Boundary



base map: Haines, Gipson & Assoc.

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Proposed Conditions

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Henry County, Georgia
for
South Point Retail Partners, LLC

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Feet



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